

109TH CONGRESS  
2D SESSION

# S. 2811

To amend title XVIII of the Social Security Act to extend the annual, coordinated election period under the Medicare part D prescription drug program through all of 2006 and to provide for a refund of excess premiums paid during 2006, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

MAY 16, 2006

Ms. STABENOW (for herself and Mr. DORGAN) introduced the following bill;  
which was read twice and referred to the Committee on Finance

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## A BILL

To amend title XVIII of the Social Security Act to extend the annual, coordinated election period under the Medicare part D prescription drug program through all of 2006 and to provide for a refund of excess premiums paid during 2006, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Medicare Enrollment  
5 Fairness Act of 2006”.

1 **SEC. 2. EXTENDING THE ANNUAL, COORDINATED ELEC-**  
 2 **TION PERIOD THROUGH ALL OF 2006.**

3 (a) IN GENERAL.—Section 1851(e)(3)(B) of the So-  
 4 cial Security Act (42 U.S.C. 1395w–21(e)(3)(B)) is  
 5 amended—

6 (1) in clause (iii), by striking “May 15, 2006”  
 7 and inserting “December 31, 2006”; and

8 (2) by adding at the end the following new sen-  
 9 tence:

10 “An individual making an election during  
 11 the period beginning on November 15, 2006,  
 12 and ending on December 15, 2006, shall specify  
 13 whether the election is to be effective with re-  
 14 spect to 2006 or with respect to 2007 (or  
 15 both).”.

16 (b) ONE-TIME CHANGE OF PLAN ENROLLMENT FOR  
 17 MEDICARE PRESCRIPTION DRUG BENEFIT DURING ALL  
 18 OF 2006.—

19 (1) IN GENERAL.—Section 1851(e) of the So-  
 20 cial Security Act (42 U.S.C. 1395w–21(e)) is  
 21 amended—

22 (A) in paragraph (2)(B)—

23 (i) in the heading, by striking “FOR  
 24 FIRST 6 MONTHS”;

25 (ii) in clause (i), by striking “the first  
 26 6 months of 2006,” and all that follows

1 through “is a Medicare+Choice eligible in-  
 2 dividual,” and inserting “2006,”; and

3 (iii) in clause (ii), by inserting “(other  
 4 than during 2006)” after “paragraph (3)”;  
 5 and

6 (B) in paragraph (4), by striking “2006”  
 7 and inserting “2007” each place it appears.

8 (2) CONFORMING AMENDMENT.—Section  
 9 1860D–1(b)(1)(B)(iii) of the Social Security Act (42  
 10 U.S.C. 1395w–101(b)(1)(B)(iii)) is amended by  
 11 striking “subparagraphs (B) and (C) of paragraph  
 12 (2)” and inserting “paragraph (2)(C)”.

13 (c) EFFECTIVE DATE.—The amendments made by  
 14 this section shall take effect as if included in the enact-  
 15 ment of section 101(a) of the Medicare Prescription Drug,  
 16 Improvement, and Modernization Act of 2003 (Public Law  
 17 108–173; 117 Stat. 2071).

18 **SEC. 3. INCREASED FUNDING FOR STATE HEALTH INSUR-**  
 19 **ANCE COUNSELING AND ASSISTANCE PRO-**  
 20 **GRAMS.**

21 (a) IN GENERAL.—There are hereby appropriated to  
 22 the Secretary of Health and Human Services (in this sec-  
 23 tion referred to as the “Secretary”) an amount equal to  
 24 \$2 multiplied by the total number of individuals eligible

1 for benefits under title XVIII of the Social Security Act  
2 (42 U.S.C. 1395 et seq.). Such funds shall—

3 (1) be used by the Secretary to award grants to  
4 States under section 4360 of the Omnibus Budget  
5 Reconciliation Act of 1990 (42 U.S.C. 1395b–4);  
6 and

7 (2) remain available until expended.

8 (b) ALLOCATION OF GRANT FUNDS.—The Secretary  
9 shall ensure that funds appropriated under this section are  
10 allocated to States in an amount equal to the proportion  
11 of the number of residents in the State that are eligible  
12 for benefits under title XVIII of the Social Security Act  
13 (42 U.S.C. 1395 et seq.) in relation to the total number  
14 of individuals eligible for such benefits under such title.

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